Department of Human Services

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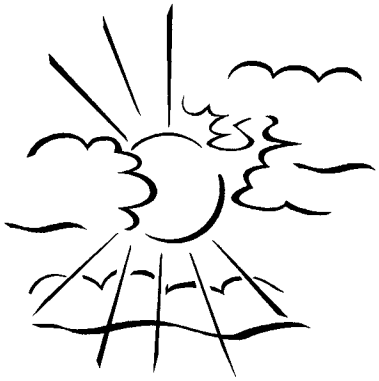

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Articles in Today's Clips
Wednesday, March 22, 2006

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Report: Minority children more likely to be in state supervision

3/21/2006, 5:37 p.m. ET

By KATHY BARKS HOFFMAN
The Associated Press

LANSING, Mich. (AP) — A new report examining why so many minority children are ending up in foster care and what can be done to change that "is all about action," state Human Services director Marianne Udow said Tuesday.

The report from the Michigan Advisory Committee on the Overrepresentation of Children of Color in Welfare says that, not only are too many minority children are ending up in foster care, but they fare worse than other children once they are under state supervision.

"For too many African-American children, there is a 'slippery slope' leading from children's protective services to juvenile detention — even prison," the report says.

The Legislature last year required the department to set up a task force to study why a disproportionate number of minority children end up in the child abuse and neglect and juvenile justice systems in Michigan.

"African-American and Native American children are more likely to be under state supervision and, once there, they generally fare worse than other children," the report says. "Even though there is no evidence that they are abused or neglected more than other children, children of color are more likely to be pulled into Michigan's child protection system, and to be placed in out-of-home care."

Once there, they are less likely to be reunited with their parents and usually spend more time in foster care than white children, the report noted.

Although black children represent about 18 percent of all children in the state, they represent more than half the children living in foster care or other out-of-home care. About 20,000 children are in foster care at any one time in Michigan.

The advisory committee was co-chaired by Udow and Carol Goss, chief executive and president of the Detroit-based Skillman Foundation.

"It's not only the state's responsibility, it's all of ours," Goss said of the effort to end the disparity between white and minority children.

Among its recommendations, the report says that the Department of Human Services should review the effect of its policies and procedures on minority families and children.

"Because African-American parents are no more likely than others to mistreat their children, and poverty rates are not enough to explain disparities, it follows that somewhere in the child welfare decision-making process families of color are treated differently, resulting in their overrepresentation," the report says.

It also recommends monitoring the state's progress in reducing overrepresentation, expanding the number of caseworkers to address families' basic needs and prevent unnecessary out-of-home placements, and focus resources on the most vulnerable families, such as teen parents, relative caregivers and parents with physical, mental health or substance abuse problems.

Sharon Claytor Peters of the Lansing advocacy group Michigan's Children served on the advisory committee and supports its recommendations, especially one to work more closely with families so children who can't live with their parents can live with other relatives.
"That's one of the areas I think is important and that we can do soon," she said.
The Skillman Foundation and the Annie E. Casey Foundation provided the funds for the advisory committee, which will continue to monitor the Department of Human Services to see if the recommendations are being followed.

On the Net:
Michigan Department of Human Services: http://www.michigan.gov/dhs
Equity: Moving Toward Better Outcomes for All of Michigan's Children report:
http://www.michigan.gov/documents/DHS-Child-Equity-Report_153952_7.pdf

Report: Wide racial disparity in child welfare

Tuesday, March 21, 2006

By Sharon Emery
Lansing Bureau

LANSING -- Black children in Michigan are far more likely than whites to be placed in state protection for abuse or neglect and the disparity is particularly striking in Jackson County, according to a report released today.

Jackson County's "disproportionality rate" is significantly higher than the statewide rate and higher than many counties of similar size, according to the report by Michigan's Advisory Committee on the Over-representation of Children of Color in Child Welfare.

Probate Court Judge Susan Vandercook, who hears most abuse and neglect cases in Jackson County, said the county received advance word its numbers are high.

Child-welfare leaders have met informally for about a year to discuss factors that may play a role, Vandercook said.

"We have some ideas, but we have not put our finger on it," Vandercook said.

"The group thinks poverty may have something to do with it. Drugs might have something to do with it."

Cultural or institutional bias cannot be ruled out, she said.

"I feel like I make good decisions, but there could be cultural biases in the decisions I make," Vandercook said. "We need to not be defensive and take a hard look at what we are doing."

Black children make up 18 percent of Michigan's population but 53.2 percent of the foster-care caseload, a disproportionality rate of about 3.0, according to the report.

Jackson County's disproportionality rate is 4.1, higher than Washtenaw (3.8), Kent (3.5), Kalamazoo (2.8), Muskegon (2.6), Saginaw (2.4) and Genessee (2.4) counties.

"Talking about race in general is very difficult and talking about child welfare is difficult," said Marianne Udow, director of the Michigan Department of Human Services and a co-chair of the committee.

"You put those two issues together, and it can be very explosive, very emotional."

The report raises the possibility of inadvertent racism on the part of people throughout the child-welfare system.

"Some (workers) were very offended at the suggestion that race would play any part in a decision whether to remove a child" from an abusive home, Udow said. "But it's not overt racism or individual racism; it's decisions that get made all along the way."

Looking to turn the statistics around, lawmakers directed the DHS to study why minority children are over-represented when it comes to being abused, neglected or in trouble with the law.

Last summer, the 46-member task force held meetings across the state to get public and caseworker input. More than 600 people participated in the effort funded by the Detroit-based Skillman Foundation and the Annie E. Casey Foundation.

The task force concluded that over-representation is a problem in all of Michigan's 83 counties. Children of color are over-represented at every stage in the child-welfare system, the study said.

They are more likely to be reported as victims of abuse and neglect; they are three times more likely to be placed outside of their family home; and they are more likely to stay there longer than white children. Once in trouble with the law, they are 88 percent more likely than white teens to be arrested and 97 percent less likely to be put into a diversion program.

Michigan Report

March 21, 2006

PANEL RECOMMENDS CHILD WELFARE EQUITY PLAN

Through its report released Tuesday, the Advisory Committee on the Overrepresentation of Children of Color in Child Welfare has recommended 11 steps to make the state's foster care and juvenile justice systems more racially equitable.

The committee, created under the Department of Human Services' budget bill (PA 147, 2005) has also set timelines to have most of the funding and policy changes in place by the end of the year.

"This is an issue that's been around in child welfare for a long time," said DHS Director Marianne Udow. "It exists in every single state in the country."

And she said Michigan is now one of the few states taking action to address the problem.

The report, Equity: Moving Toward Better Outcomes for All of Michigan's Children, noted that white children represent 72.1 percent of the total population of minors, but only 38.8 percent of those in foster care. Black children represent 17.5 percent of the total population, but 53.2 percent of those in foster care.

But Carol Goss, president of the Skillman Foundation, one of the financiers of the report, said there was no statistical reason for the differences. "There's no indication that children of color are more likely to be abused or neglected," she said. "They are more likely to be removed from the home."

Ms. Goss said the report would be an opportunity not only for DHS to improve its policies and programs, but also for foundations such as Skillman to better match its efforts to the state's. "For us it presents a wonderful opportunity to think about how our grant making can build upon the work of the state," she said.

And Civil Rights Director Linda Parker said the report helps in focusing on some of the root causes of abuse and neglect as well as on the racial disparities in foster care. "What we fail to recognize is poverty is the cause of so much of what is wrong in this country," she said.

Sen. Bill Hardiman (R-Kentwood) said the report will also be the basis for further legislative investigation and action. He noted that racial disparity extends to other areas of society, including chronic unemployment.

But he also praised the report for its call for DHS and communities to work together. "Too many times we look for government to ride in and save us," he said.

Many of the recommendations deal with funding, including identifying all of the funding that could be directed to helping struggling families and trying to maximize any federal funding, which should be done as quickly as possible.

The report also calls for, yet this month, the Department of Human Services to seek a waiver for Title IV-E federal funds, designated for foster care maintenance payments, that would allow them to be used for such programs as kinship care, family reunification, and substance abuse treatment for caregivers.

The committee said DHS also needs to include families more actively in decisions made about placing children in foster care or provision of other services. Ms. Udow said the department is already piloting this with the Family to Family program in some areas.

By July, the department should begin implementing training programs that help workers understand cultural differences that could be resulting in more foster care placements for minority children, the committee said.

And the department should have included in the FY 2006-07 budget funds for an outside review of its policies to determine which might be contributing to racial disparities in the system.

The committee also called for the department to set up, by September, another committee to oversee its efforts in reducing racial disparities statewide. And it called for a computer system that would allow the department to track diversity issues at the local level.

Report: Minority children more likely to be in state supervision

LANSING, Mich. Minority children don't fare as well as other children under state supervision.

A report from a state Human Services department advisory committee says there's a "slippery slope" leading minority children into juvenile detention and even prison. The agency released the report today.

Lawmakers last year required the department to study why a disproportionate number of minority children end up abused, neglected and in the juvenile justice systems.

The report noted that once blacks and Native American children are placed in the child protection system, they're less likely to be reunited with their parents. It also says they usually spend more time in foster care than white children.

On the Net:

Michigan Department of Human Services: http://www.michigan.gov/dhs

Michigan

Dad showed remorse, cop says

March 22, 2006

BY JACK KRESNAK
FREE PRESS STAFF WRITER

MASON -- Ricky Holland's father, Tim Holland, fell to his knees and wept, crying, "Oh my God, what have I done?" when he led authorities to the 7-year-old's remains, according to court testimony Tuesday.

Ingham County Sheriff's Detective Sgt. Roy Holliday, testifying in 55th District Court in Mason, described how Holland reacted when he took police to the spot in the Dansville State Game Area in January.

Holliday's description of the grief-stricken outburst contrasted with video clips of Holland and his wife pleading for help in finding their son after he disappeared in July. Two TV news clips were shown depicting Lisa Holland crying and Tim Holland asking for the public's help.

Both parents are accused of killing Ricky, their adopted son. In police interviews, each has blamed the other in his death.

Authorities said that on Jan. 27, Tim Holland, now 37, led them to the boy's skeletal remains.

During his testimony Tuesday, Holliday also played the call Tim Holland made to a 911 operator to report Ricky's disappearance on July 2.

"I looked for him this morning, and he was gone. He was gone," Holland said on the tape.

Holland said he found the boy's bed pushed under the window and the window open, adding that Ricky had run away twice before.

Holliday was the 17th witness to be called in the lengthy preliminary examination for the Hollands. Ingham County Assistant Prosecutor Mike Ferency wants to show that Ricky was a victim of physical and emotional abuse by the Hollands, who were his foster parents and adopted him in 2003.

Holliday said Tuesday that during a search of the Hollands' Leroy Township home on Sept. 6, Lisa Holland attempted to leave the house with a bag containing a torn-up, blood-stained, child's T-shirt. A pair of bloody socks had been found at the house a few months before.

He also said that, on Sept. 6, police found four bottles containing medicine prescribed for Ricky's supposed behavior disorders. The prescriptions were filled at a Jackson pharmacy in 2004, Holliday said, but the bottles still contained most of the pills.

Dr. Elaine Pomeranz, medical director for the child protection team at the University of Michigan Hospitals, testified Tuesday that her review of medical, police and school records led her to conclude that Ricky was the victim of a form of Munchausen syndrome by proxy, in which a guardian fabricates or causes health problems in others.

Pomeranz's testimony was halted, however, because she was basing her opinion on reports from police and the state Department of Human Services that are not part of the evidence in the hearing.

Yost defense now

Wednesday, March 22, 2006

By CRYSTAL HARMON
BAY CITY TIMES WRITER

Calling it a "smoking gun," Defense Attorney Edward M. Czuprynski unleashed a doctor's opinion Tuesday that declares a young alleged murder victim likely died of heart problems.
And, although Bay County Circuit Judge William J. Caprathe said the late revelation of the report could warrant a mistrial, Prosecutor Joseph K. Sheeran rejected the offer for a "do-over" of the murder trial of Donna A. Yost.
That means the jury will hear from that doctor - set to testify Thursday - and hear his conclusion that Monique Yost, 7, died of a heart abnormality.
Prosecutors accuse Donna Yost of killing her youngest child on Oct. 10, 1999, by administering a fatal dose of the antidepressant drug Imipramine. The toxicologist who did Monique's autopsy - Dr. Kanu Virani - testified last week that an acute overdose from one to eight hours before Monique's death caused her death.
But Dr. Stephen D. Cohle, a forensic pathologist based in Grand Rapids, reviewed Virani's report, and in a letter to Czuprynski dated Monday, contradicted his peer's findings.
"I do not agree with the cause of death (Imipramine) poisoning as listed in the autopsy report," Cohle wrote. "Imipramine is subject to postmortem redistribution and thus the actual level reported may be as little as 1/3 of the level in the heart. The resultant level in my opinion is certainly inadequate to explain death."
Virani took the blood used in his tests from Monique's heart, according to his testimony in court. Cohle contends that after death, the drug concentrates in the heart, making blood taken from that organ an unreliable barometer of dosage.
Cohle's letter continues, describing "abnormalities of the origins of the left and right coronary arteries."
Virani identified these abnormalities in his autopsy report, but testified last week that such imperfections would not be fatal.
Cohle, however, says the defect is "well known to cause death."

Czuprynski presented the letter to Sheeran on Tuesday. Sheeran called the report a "sleight of hand," and urged the judge to keep the testimony out of court. Judge Caprathe agreed with the prosecutor's complaint that the late-breaking information in a trial six years in the making violates "discovery rules."

But the judge told Sheeran he could either declare a mistrial - meaning it would have to begin anew - or allow for Cohle to testify. Caprathe said that prosecutors would be able to call new witnesses, or recall ones who've already testified, to counter Cohle's claims.

Sheeran told The Times that he would not agree to a mistrial.

Just as Virani conducts autopsies of suspicious deaths for counties on Michigan's east side, Cohle, who's been a forensic pathologist in Grand Rapids for 24 years, handles such autopsies on the state's west side. He has published dozens of research articles, including some on coronary defects, and has given presentations on such topics as "Cardiac Conduction System in Sudden Unexpected Death."

The discussion of Cohle's opinion and his expected testimony took place while the jury was not in the courtroom. The jury did hear testimony Tuesday from two witnesses.

Bay City Police Detective Dean Vosler, the lead investigator in the case, played more tape-recorded interviews with Yost that occurred in the days after the child's death. He said that Yost's behavior didn't seem to jibe with what he'd expect from a woman who lost a daughter and was wrongfully accused of murder.

"I never noticed in any of the interviews with Donna that she cried over Monique's death," Vosler said. "She said it had been hard for Lonny (Monique's father) and for Josh (Monique's brother) and Jessica (Monique's sister), but she never said that it was hard for her."

Under cross-examination from Czuprynski, Vosler conceded that the Yost home at 200 N. Madison was never searched for evidence such as a glass or bowl that may have been used to crush pills, as prosecutors suggest Yost did before giving them to Monique.

Vosler also said that the Yost case was the first murder investigation he headed since having been promoted to detective seven months prior to Monique's death. Vosler was to resume testimony on Wednesday, but the court allowed Czuprynski to call a defense witness out of order since she wouldn't be available later.

Lisa Gano, a school social worker who had worked with Monique at Washington Elementary School, testified about helping label the child "emotionally impaired" and working with her on developing skills to succeed in the second grade.

"She was very impulsive," Gano said. "She had a hard time sitting still, a hard time listening and following directions. Her behavior was more impulsiveness, acting without thinking, but not mean or purposefully defiant."

Gano's testimony was interrupted by dozens of objections from Assistant Prosecutor Nancy Borushko, who argued, usually with success, that much of what Gano was trying to testify to was "hearsay" from teachers, Monique and Donna Yost.

"She was a friendly outgoing girl, but she had no boundaries," Gano said. "When a child will go up to a complete stranger and hug them, that's a problem."

The trial is into its fourth week, with at least another week of testimony expected. If convicted, Yost, who's now free on her own recognizance, could be sentenced to life in prison.

Family rejoices in ruling that ends homicide case

Wednesday, March 22, 2006

By Ken Kolker
The Grand Rapids Press

The Holland man was allowed to witness the birth of his baby 16 days ago, but he hadn't seen him since.
The state kept him away from his baby and his 7-year-old stepson because of the horrible crime he was suspected of committing -- the rape and murder of his own grandson.
But Tuesday, Juan Gonzalez, 46, who had been separated from his family for months, hugged his children and held his baby after prosecutors determined there was no crime.
The original autopsy on the grandson, performed by a pathologist in Muskegon County, was wrong, according to a second opinion by the Kent County medical examiner.
The second opinion, released on Tuesday, found that 5-month-old Sebastian Gonzalez, who died Dec. 12 in his parents' apartment in the Oceana County village of Shelby, was not the victim of violence.
"I'm not mad. They were just doing their job," Juan Gonzalez said. "I just wish they would have listened to what I was telling them. I didn't care about me. I just hate what they put (my wife and kids) through."
The prosecutor's decision likely will lead to the permanent reunion of a family splintered by allegations of rape and murder.
"I'm furious that they'd do something like that, make that kind of mistake," said Sebastian's mother, Samantha Trout, 20, of Shelby. "They put everybody through so much."
Trout and her boyfriend, Jaime Gonzalez, who is Juan Gonzalez's son, have not been allowed to live with their son, Jacob, now 2, since shortly after Sebastian's death. The state removed Jacob from them, alleging they could have prevented his younger brother's death.
The case pits two pathologists against each other.
"I do not believe I made a mistake," said Dr. Peter Shireman, who performed the initial autopsy. "I think it's a homicide. ... That means another human being did it."
Despite Shireman's protests, Oceana County Prosecutor Terry Shaw said he will rely "on the expertise" of Kent County Medical Examiner Dr. Stephen Cohle.
The prosecutor also said that partial results from the state police crime lab give no support to the belief the baby's death was a homicide.
"This gets kind of messy," said Shireman, who practices at Muskegon General Hospital.
Cohle, who reviewed the initial autopsy at the request of the Oceana County prosecutor, said he recognized almost immediately a mistake was made.
"I think the guy did a good autopsy," Cohle said. "I disagree with the interpretation of those observations. Let the public come to their own conclusions."
Cohle credits the prosecutor for seeking a second opinion.
"I believe there are some counties where this guy could have gotten convicted," Cohle said. "There are prosecutors that would have run with this and would have done a full-court press."

Sebastian Gonzalez died Dec. 12 in the Shelby apartment he shared with his parents. Shireman's autopsy showed he died from sepsis, an infection of the blood.

He said the infection was due to "blunt penetrating trauma" to the child's rectum. "A 5-month-old is not capable of doing this kind of damage to himself," he said.

Cohle found that the infection in the blood was caused by normal decomposition, not by injury. While the boy's rectal area was red, it was not torn, he said. The boy had diaper rash.

He couldn't determine how the child died. Perhaps it was Sudden Infant Death Syndrome, he said.

Cohle is a certified forensic pathologist who has performed autopsies for 24 years. A forensic pathologist is trained to perform autopsies and look for evidence of a crime.

Shireman is a pathologist, though not a forensic pathologist. He has worked as the assistant chief medical examiner for Muskegon County.

Shireman said he worked with a trained forensic pathologist on his original findings. "We've done many, many infant deaths over the years," he said.

The prosecutor publicly identified Gonzalez as the primary suspect in January.

Gonzalez and his wife were staying in the Shelby apartment with the boys and the boys' parents. Perhaps the biggest mark against him was his background: He was sentenced in 1996 to 2 to 15 years in prison for second-degree sexual assault with a girl under 13. He was discharged from parole in 2003.

Juan Gonzalez's wife of eight months, Berangila "Bree" Gonzalez," said she never doubted her husband's innocence in his grandson's death. "I told everybody, 'I'll go to my grave believing that my husband did not do this,'" she said.

Bree Gonzalez gave birth March 5 to Profibio, their first child together. But Ottawa County Children's Protective Services hadn't allowed Juan Gonzalez to see the boy since the birth, she said.

Gonzalez also hadn't been allowed to see his wife's 7-year-old son, Thomas.

"He doesn't understand why he can't see his daddy," she said.

Michigan Report

March 21, 2006

GOVERNOR, DEMS RENEW PUSH FOR ANTI-BULLYING LAW

Governor Jennifer Granholm and legislative Democrats on Tuesday renewed a push for a state mandate that schools establish anti-bullying policies, a move they said was long overdue given the widespread response in other states following the 1999 Columbine school tragedy.

The issue was highlighted at a press conference attended by the family of Matt Epling, a 14-year-old East Lansing student who took his own life after he was the target of bullying in 2002.

"It's important that we require every school to have a policy on intolerance to fear and intimidation," said Ms. Granholm, who first called for the policy in her State of the State address.

Sen. Buzz Thomas (D-Detroit), sponsor of SB 1156 and who said he was bullied as an overweight student, said the Legislature must put a higher priority on protecting vulnerable children. Saying a great deal of time is spent debating tax cuts, he said, "We should spend a fraction of the time and deliberate over the next couple of weeks the price of children, not just the price of government."

Rep. Glenn Anderson (D-Westland), who got 46 bipartisan cosponsors on his HB 5616, said policies at districts across the state range from nonexistent to those that are "reasonably good."

The Department of Education has developed a model policy, but State Superintendent of Public Instruction Mike Flanagan said it has no statistics on how many have adopted effective anti-bullying policies.

The bills would require that the policies cover teacher training programs, procedures for reporting acts of bullying, procedures for response when acts of bullying are identified, age-appropriate consequences for persons who violate the policies, and procedures for prompt investigation of reports of violations and complaints.

House Speaker Craig DeRoche (R-Novi) acknowledged the governor's anti-bullying proposal but said that instead of putting a policy into place, lawmakers need to provide a model for school districts to work off of.

An anti-bullying program being run on federal funds in Pontiac is something Republican lawmakers are looking to extend to other districts, Mr. DeRoche said, adding that a state

appropriation to that effect is being worked on currently as the House prepares its budget bills.

A spokesperson for Senate Majority Leader Ken Sikkema (R-Wyoming) said the issue is important, but other items are consuming the attention of the Senate Education Committee, including funding, graduation requirements, and employee health insurance changes. Ari Adler said schools already can, and do, establish such policies, especially if presented with serious bullying problems.

"If there is a problem, we have faith that they will deal with it as professionals," he said. "Bullying is a bad thing, but districts have the responsibility and ability to address it right now."

And he said of the other two primary goals, the product liability changes met only one. "The statute was billed as something that was fair and predictable," he said. "It's accomplished one of those: it's predictable."

Mr. Darling said Michigan is one of only three states that have passed the stringent product liability laws, and he said Michigan's are the most stringent.

Mr. Tucker and Mr. Darling agreed that the system should work to prevent frivolous lawsuits, and they argued in most instances the cost of pursuing a case is a disincentive to filing a frivolous case.

"If the law does not prevent frivolous lawsuits from being filed or allows them to be filed and not dismissed quickly, the law does not work," Mr. Tucker said.

The medical liability laws are unfair because of some unclear provisions and the way those provisions have been interpreted by the courts, said Norman Tucker, chair of the MTLA Medical Malpractice Committee.

Mr. Tucker recommended not that any changes be made to the various filings required under the current law, but that the system be redesigned to end some of the technical reasons for dismissing a case.

Current law requires anyone filing a medical malpractice suit to serve the defendant with a notice of intent to sue at least six months before filing the lawsuit. The lawsuit itself must then accompany an affidavit of merit signed by board certified specialists in the areas addressed by the case.

Mr. Tucker said the notice of intent was designed to be an opportunity for the parties to settle a meritorious case before taking it to court. But under current law the document can be provided only once. If it contains any errors or is insufficient, that is automatic reason to dismiss the case.

He argued the law should allow the notice to be amended or reissued if the defendant finds problems with it.

The affidavit of merit also can cause quick dismissals, Mr. Tucker said. In addition to clerical errors such as forgetting to attach it, he said there is some disagreement over what constitutes a board certified specialist.

The American Board of Medical Specialties includes 24 different specialties, each with several subspecialties. And he said the American Association of Osteopathic Medicine lists specialties differently, so arguably an osteopath could not testify against an aleopath, even if they have essentially the same practice.

And he said there are as many as 180 "fringe boards" that also offer certifications.

"The Supreme Court can't figure it out," he said. "The Supreme Court wants an outside organization to tell them what you all meant."

And he argued the certificate of merit should be a document the judge can require to be produced, not one that can be used as automatic dismissal grounds if it is not attached to the original lawsuit.

Medical issues are also among the key failures of the product liability changes, Mr. Darling said. The current law prohibits lawsuits against drug companies if they are selling U.S. Food and Drug Administration-approved products and did not obtain that approval through fraud or bribery.

But Mr. Darling said a recent federal court ruling prohibited individuals from asserting fraud or bribery of FDA officials in a lawsuit. The court found that only the FDA can challenge a drug approval on those grounds.

Mr. Darling also argued for the end of rebuttable presumptions in the law. He said a company that manufactures a product to state or federal standards is presumed to have made a safe product, but there is no presumption that a product found defective in government tests is unsafe.

"This will always be evidence to be presented to the jury," he said of both government certifications and failed government tests.

The state's joint and several liability provisions are also excessively complicated, particularly to explain to a jury, he said. Current state law provides that defendants are only liable for that portion of an injury for which they are responsible, and they can work to show that unnamed parties are liable for portions of the damages to further reduce their own liability.

Mr. Darling argued the unnamed parties should be eliminated from the equation and that the state should return to joint and several liability for at least portions of the award.

Granholm pushes for anti-bullying laws

March 21, 2006 - 4:39PM
(NEWS 3) - Governor Jennifer Granholm is urging lawmakers to pass anti-bullying legislation that would affect all public schools in Michigan.

Granholm says she wants to make sure every school is a safe and positive learning environment and that includes implementing anti-bullying legislation. "Intimidation and fear have no place in our schools," she said. "To give our kids the world class education they need, we need to make sure all schools are safe."
Democrats and republicans have introduced bills aimed at reducing bullying.

Research in the Journal of the American Medical Association suggests that one out of every three students in grades 6-10 is the victim of bullying.

Anti-bullying policies would include teacher training programs, procedures for reporting and responding to acts of bullying, age-appropriate consequences, and procedures for prompt investigation of reports of violations and complaints.

If the bill is signed into law it would be known as "Matt's Safe School Law" in honor of an East Lansing student who took his own life in 2002 after a hazing incident.

But some lawmakers are not convinced the legislation is needed. Several school districts have put policies in place without being legally required to do so.

Michigan Report

March 21, 2006

COURT UPHOLDS SOLE BID FOR MEDICAID SERVICE

A state decision to award a sole source bid to supply incontinent products to Medicaid patients was upheld Tuesday by a unanimous panel of the U.S. 6th Circuit Court of Appeals.

The court, reversing the U.S. District Court, said the Department of Community Health correctly determined that the incontinence products were medical devices and thus not subject to the provisions of federal Medicaid law giving patients the right to select their own provider of services.

The department's action had been challenged by groups of persons affected by the selection in 1997 of Binsons Home Medical Care as the only provider of the products to Medicaid recipients. The department had contended individuals do not have the right to bring lawsuits to enforce the freedom of choice provisions in the Medicaid Act.

"Because incontinence products may fairly be described as 'something devised' for 'medical treatment,' they come within the ordinary meaning of the phrase (medical devices," the court said (*Harris v. Olszewski,* USCOA docket No. 04-2479). It added its conclusion was buttressed by similar definitions in the Food, Drug and Cosmetic Act.

Judges Jeffrey Sutton, Eugene Silar Jr. and Allen Sharp rejected the claims by the Medicaid recipients that the Medicaid law contains a narrower definition of devices, and that a device should be limited to "equipment or a mechanism designed to serve a special purpose or perform a special function."

A Lansing attorney for one of those challenging the bid doubts the issue will be taken further, but said it gives the department latitude to select sole providers for a wide array of products, such as Band Aids. "If it's required or devoted to medical treatment, it is a device that can be given to a sole provider," Mike Levine of Fraser Trebilcock Davis and Dunlap said of court's interpretation of the law.

Wednesday, March 22, 2006

Detroit News Letters

Should parents be paid to adopt foster kids?

Try incentives with oversight
People who adopt foster children should receive some compensation, but it must be tightly monitored ("Parents get paid to adopt," March 21). Since the state can't seem to hire enough social workers to get the job done, why not license private, for-profit oversight agencies? Could they possibly do a worse job than what we have going now?
Don Schmittdiel
Clinton Township
Care more than cash
Only allow the state subsidy if it is a one-time payment. Otherwise it lowers the care of the child to just a financial arrangement.
Tom Seubert
Roseville
Tax break instead of subsidy
Those whose hearts are leading them toward adoption don't require a financial incentive to go there. Perhaps a significant tax break would be better as that offers no up-front money to people like the Hollands.
J. Sterns
Flint
Subsidies aid special needs
The March 21 article, "Parents get paid to adopt," mischaracterizes a successful program that enables foster children to achieve what every child should have -- a family of their own rather than a lifetime in unstable, sometimes unsafe, foster care. Giving subsidies to foster parents is a partial offset of the considerable financial expense of caring for a special-needs child. (About 85 percent of foster children waiting for a family have a physical, mental, or emotional disability.) Nationally, a typical child's adoption subsidy is about $13 a day -- far less than the cost of boarding a dog at a kennel, let alone the cost of raising a special-needs child. Rare, tragic abuse cases should not be used to undermine our already tenuous national commitment to special needs adoption, especially at a time when 119,000 children are still waiting for families.
Joe Kroll
Executive Director
North American Council on Adoptable Children
St. Paul, Minn.
Subsidies ease burden
With the abhorrent number of abortions in this country, we should do everything we can to encourage adoption. Anyone who knows someone familiar with the process of adoption knows that the stork doesn't just drop the baby off at random doorsteps. There are several rigorous interviews, random visits, background checks, etc. Raising kids is expensive; government subsidies simply help ease the burden.
Brian Petersen
Ferndale

Love trumps money

Foster adoptions involve a lot of very hard work. My wife and I adopted babies and that too was hard work, but not nearly the work involved in a foster adoption. Incentives for prospective parents to adopt foster kids does not turn it into a business. There still is a ton of genuine love involved by the parents, and the social workers should know how to screen parents for those qualities.

Jim Bauer

Brighton

Aid only those in need

I don't think it is wrong to give financial aid to adoptive parents. It should be given as financial aid, and thus only given to those parents who need it. The incentives that the states receive are not a bad idea, although the failed adoptions should be tracked and should be included in the equation for the amount of money that the states receive.

Mary Schwarz

Grosse Pointe Park

Favor families over adoptees

The state should put more money into working with and keeping families together instead of paying incentives to people who aren't family. Studies have shown that in Michigan children are four times more likely to be abused in a foster care situation than in their own home they were removed from.

Lisa Simpkins

Lake Orion

Adoption over foster care

Adoption seems to be a better alternative to the foster business which is a license to profit without responsibility.

Anna Kurtz

Brownstown

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Published March 22, 2006

Shelter's fate: Homeless day refuge needs steady source of funding

A Lansing State Journal editorial

The precarious life of a Lansing homeless shelter has been given yet another reprieve. It's an open question, though, how long the New Hope Shelter can continue its limbo-like existence.

The good news, of course, is the Volunteers of America will be able to keep the day shelter open through June, thus avoiding a shutdown during the remainder of the cold-weather months.

U.S. Rep. Mike Rogers, R-Brighton, was the mastermind behind a $15,000 check written to the VOA. Rogers persuaded businesses to donate the money. A military veteran, he takes a special interest in New Hope because it serves many veterans.

Good show, Mr. Rogers.

The more troubling news is that New Hope needs a long-term fix. The VOA applied for $250,000 in funds from the U.S. Department of Housing and Urban Development. HUD has denied the request, but Rogers is asking HUD to reconsider.

Ironically, it's the federal government that thrust New Hope and similar programs into a fiscal crisis. A new law has slashed tax deductions on vehicles donated to nonprofits. Soon after the law took early last year, VOA vehicle donations fell by about 40 percent.

Congress needs to revisit this tax write-off, considering the great harm it's done to charities.

Meanwhile, places like New Hope will plod on, living hand-to-mouth. There are an estimated 700 homeless people in the Lansing area, and they depend on a few places like New Hope to connect them to services such as skills training and health care. They're not going away. If anything, their numbers are increasing.

The shelter desperately needs a steady source of revenue. Since Congress had a hand in cutting off a major source, perhaps Rogers can convince his colleagues to come up with an alternative.

Lawyer apologizes as he's sent to jail

Judge: 'What a sad state of affairs your life has become'

PUBLISHED: March 22, 2006

By Mitch Hotts
Macomb Daily Staff Writer

Mount Clemens attorney John M. Beeding publicly apologized to his wife and employees as he was sentenced Tuesday in an Oakland County district court for an attack on his wife in 2005.
Beeding, a former city attorney and elected official in Mount Clemens, was ordered to enroll in intensive counseling programs for substance abuse and domestic violence and to serve 30 days in jail with credit for time already served.
"What a sad state of affairs your life has become," said Judge Lisa Asadoorian of the 52-3 District Court in Rochester Hills during the sentencing.
Beeding, 37, pleaded no contest to misdemeanor charges of domestic violence and property destruction as part of a plea-bargain arrangement with the Oakland County Prosecutor's Office. Felony charges of home invasion and firearms possession were dropped in return.
According to the Oakland County Sheriff's Office, Beeding broke into the Oxford Township home of his father-in-law where his estranged wife, Meggan, was staying. He threatened the family with a handgun before fleeing, police said.
Beeding, who is already serving a 45-day sentence in Macomb County Jail for probation violation, appeared unshaven Tuesday in blue jail garb and glasses. His hands were manacled at his side.
He told the court that he's been participating in alcoholic anonymous programs while in jail and is also seeking independent counseling. At one point, he turned to the public seating section where his wife sat to apologize.
"I'm very sorry and I accept responsibility for my actions," he said, his voice cracking with emotion. "This is my fault. I'm sorry I let down the people with my job, where there are 30 people. There's nothing I can do to help now."
The judge scolded Beeding for assaulting his wife in front of their children and asked Meggan Beeding if she wished to have the non-contact order that had been imposed at the time of arrest lifted.
"I'm no longer afraid of him," Meggan Beeding said in agreeing to lift the order. "He hasn't done anything since this occurrence to make me fear him."
Steven Dunn, an assistant Oakland County prosecutor, asked the judge to order Beeding to attend a 52-week domestic violence program along with 24 months of probation.

Beeding was also ordered to pay $1,500 in fines and any restitution his wife's family asks for. He will be allowed to participate in a work-release program.

Defense attorney Harold Fried said outside of court that it wasn't clear if Beeding will remain the head of his own law firm.

"He made a mistake," Fried said. "Unfortunately, he has some drinking related problems and he hopes to put all of this behind him."

Beeding -- once considered an up-and-coming political figure in Mount Clemens -- was forced to resign from the City Commission in 1997 after a pair of assault cases were filed against him. He also has prior arrests for drunken driving.

He also faces sanctions from the Michigan Attorney Grievance Commission for his latest convictions.

Preliminary exam Thursday for elder abuse case

By Sally Barber, Cadillac News

REED CITY - A preliminary exam is scheduled for Thursday in 77th District Court in Osceola County for Dennis James Dell'eva. Dell'eva was charged with involuntary manslaughter and second degree vulnerable adult abuse in connection to his mother's 2004 death.

The former Lincoln County man was arrested March 15 in Macomb County after Attorney General Mike Cox filed the charges. Cox called it a gruesome case. He announced the charges in Reed City, one month after the case was brought to his attention.

Estelle Dell'eva, 74, was found by paramedics buried beneath layers of blankets and trash, malnourished and dehydrated. She died one day after being transported to the hospital. Unemployed at the time, Dennis Dell'eva allegedly cashed his mother's Social Security checks, spending the money on alcohol and food he ate, while neglecting his mother's needs. The home had no running water or heat.

Cox is targeting elder abuse and said this case stood out because of the gruesome nature, Attorney General spokesperson Nate Bailey said.

"In generalities this is not that unusual of a case in terms of elder abuse," Bailey said. "The Attorney General worked as a homicide prosecutor in Wayne County and this is one of the more gruesome cases he has ever looked into."

Attorney for the state is David Tanay, an assistant attorney general in the criminal division. Court-appointed attorney Dennis Duvall will represent the 52-year-old Dell'eva. Osceola County sheriff deputies had kept track of Dell'eva's whereabouts since the woman's death.

At the time of his arrest at a trailer park, Dell'eva had been employed for one month at Arcadia Services Plastic factory. He was transported to Reed City by the Osceola County Sheriff's Department and is currently housed in the county jail. No bond was set.

If convicted, Dell'eva could face up to 15 years in prison on the involuntary manslaughter charge and up to four years on the vulnerable abuse charge. If convicted of both, the sentences would run concurrently.

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Should Men Have the Right to a "Financial Abortion"? A Biological Father Cries Sex Discrimination When Forced to Pay Child Support for an Unwanted Baby

By SHERRY F. COLB
FindLaw

Tuesday, Mar. 21, 2006

In Michigan, Matt Dubay was recently ordered to pay child support in the amount of $500 a month to his ex-girlfriend, Lauren Wells, for their biological daughter, Elisabeth. When the couple was together, Dubay claims, Wells assured him that she was physically incapable of becoming pregnant. After the two had split up, however, she gave birth to a baby girl and sought support from him.

What makes this case special is that rather than pay the child support (or fail to pay, as often occurs), Dubay, represented by the National Center for Men, has filed a lawsuit in federal court. Dubay claims that he has a right under the Equal Protection Clause of the United States Constitution, to cut off all ties to his unwanted biological child.

This suit reflects a growing sentiment among self-described members of the fathers' rights movement and ought to be taken seriously, even if it is unlikely to prevail in the near future.

Men's Anger: Why Should Women Have All the Control?

Many men are quite angry about how little control they currently exercise over their reproductive lives. When a man decides to have consensual sexual intercourse with a woman, he risks unwanted fatherhood: If the woman conceives, it is she, and she alone, who decides whether to terminate her pregnancy. And that is true even if the woman falsely claimed that she was using birth control, that she had been told by a doctor that she could not conceive, or that if she did conceive, she intended to get an abortion.

In short, the argument goes, a woman has the ability forcibly to place her unwitting partner or ex-partner in a position he never wanted to occupy - that of a father - with all of the financial and emotional baggage that the status carries.

Should Men Have the Ability to Force Abortion? An Unpopular View

Some fathers' rights advocates feel so strongly about this reproductive inequity that they maintain that if either a man or a woman wants to terminate a pregnancy, against the wishes of the other partner, he or she should be able to do so. According to the *New York Times* magazine, Michael Newdow, for example, railed against "the imbalance in reproductive rights - women can choose to end a pregnancy but men can't...." Newdow then cut himself off, in order, he said, not to "alienate" the interviewer.

(As readers may recall, Newdow is the man who unsuccessfully sued to stop his biological daughter's school from having the children recite the Pledge of Allegiance. Possibly confirming Newdow's sense of how little control he exercises as a father, the Supreme Court denied Newdow standing to pursue the lawsuit, because of his status as the noncustodial parent, coupled with the Court's deference to California domestic law).

It appears, however, that the belief in a man's right to compel a woman to have an abortion is not widely held -- as least not publicly. And indeed, it seems plainly unreasonable. The primary basis for a woman's right to abortion is that no person should be forced, unwillingly, to sustain the assault on bodily integrity that pregnancy represents for a woman. Though the ability to avoid parenthood is a component of the rationale for this right, it is primarily a matter of physical integrity and would therefore preclude any entitlement on the part of a man (or anyone else) forcibly to terminate a wanted pregnancy. Indeed, one of the very few areas in which pro-life and pro-choice activists would tend to agree, is this one: A man should not have the right to terminate the lives of his unborn offspring in utero.

Another Stance: If the Father Opposes Birth, He Should Not Pay Child Support

There is a less extreme version of this argument: Men and women may be differently situated with respect to pregnancy, so that women but not men have the right to terminate an unwanted pregnancy. But with rights come responsibilities, and a woman who gives birth without the biological father's blessing should not be able to collect child support from him. By failing to terminate her pregnancy in accord with the father's wishes, in other words, she should assume the risk of parenting the child alone.

Some have referred to this approach as the right of men to a "financial abortion." A man who does not want his child brought into the world should let his sexual partner know of his feelings, they contend, and if she nonetheless goes on to keep the child that she conceives with him, then he should have the right to "choose" not to affiliate with that child and not to provide support. He should be entitled to opt out of the role of parent in the only way he can, just a woman is able to opt out absolutely by having an abortion.

This argument is less alarming than the one urging a male right to require abortions. But there is a difficulty here as well. The problem derives from the reality that abortion is not a simple choice for most women, nor do most people in this country believe that it ought to be. Once an unwanted pregnancy begins, there are therefore consequences, for both the man and the woman, however much they would each wish otherwise.

The initiation of an unwanted pregnancy, moreover, is just as likely to be the result of a man's oversight (or "fault"), as it is to be the result of a woman's. Perhaps the couple decided together to risk unprotected sex because contraceptives were not readily accessible. Or perhaps the man's condom broke during intercourse. Or maybe a medical professional had incorrectly informed either the man or the woman that he or she was unable to conceive.

However conception might have occurred, a woman faced with an unwanted pregnancy will not necessarily feel comfortable obtaining an abortion. Her hesitation may result from religious or moral convictions or from the sense that perhaps this pregnancy was "meant to be." In the Dubay case, for example, his ex-girlfriend reportedly believes that life begins at conception. Regardless of her motivation, she faces a real dilemma once she learns that she is pregnant - she must either have the child or have an abortion, neither of which is a trivial matter.

No matter which choice a pregnant woman makes - a choice that is (currently) hers by virtue of its substantial physical implications for her body -- the man who helped place her in the situation should not easily be able to wash his hands of the consequences. Barring extreme circumstances (such as those discussed in an earlier column), the availability of abortion should not relieve men of equal responsibility for the children they help create, once those children do make their way into the world.

Dubay's Strongest Argument: Mothers Can Give Up Children for Adoption

Dubay makes one argument that is far more difficult to rebut than the others. It is that after a woman has a baby, in Michigan and elsewhere, she has the right to give up that baby for adoption. If she exercises that right, she cuts off her own financial responsibility to the child, along with other parental rights and responsibilities. A man, by contrast, may not relinquish his financial responsibility for an unwanted child unless the biological mother shares his wish to give up the child for adoption.

Dubay asks: Why shouldn't men have the same right that women have? And doesn't the law engage in sex discrimination by offering one sex an option that the other lacks?

In considering these questions, we need to examine how the different approaches to adoption arose in the first place. It is not difficult to imagine that sex-role stereotypes played a role. Traditionally, in the United States, the law made three assumptions about parenthood: the mother's proper role is that of nurturer; the father's proper role is that of "breadwinner"; and every child, if at all possible, should be part of a nuclear family. Under this set of assumptions, a number of conclusions would seem to follow:

If a woman is unwilling to nurture (or "mother") her child, the law cannot force her to do so. In fact, a child in the custody of an uninterested mother is a child in danger of abuse or neglect. Therefore, if a woman gives birth to a child for whom she does not wish to care, the law would be doing the baby no favors by leaving him or her with the rejecting mother. Adoption would seem a mercy to both mother and baby.

A father who is unwilling to pay for his offspring can, however, safely be forced to pay nonetheless, just as he could be required to provide financial support for his wife or ex-wife. Nothing about the money that he might pay is compromised by his unwillingness to spend it. Financial support - the "father's job" -- can be an impersonal contribution in a way that care and nurturance - the "mother's job" -- simply cannot. It is therefore a "no-brainer," if one embraces these traditional assumptions, that if a man sires a child, he must do his duty by that child and pay money for its support.

The third assumption, again, is that children should - if at all possible - grow up in two-parent male/female households. If we share this assumption, as the law has done in the past (and, to a lesser extent, continues to do), it follows that when a couple splits up before a baby is born, the baby is better off if the mother gives him up to a family containing two parents. Adoption is thus a desirable turn of events and should not only be allowed but encouraged.

Women, though, are often quite attached to their babies and prefer to keep them, regardless of where the father might be. In such a case, the child gains nothing, and loses much, if the father decides not to provide financial support for his biological baby.

However such assumptions developed, they are no longer fair, and rest on outmoded and discriminatory assignments of responsibility. Women currently participate in the workforce in overwhelming numbers, even if their wages continue to lag behind those of their male counterparts. And men participate in nurturing their children far more than they used to; indeed, there are a growing number of "stay-at-home" dads in this country, and their contribution to day-to-day caring for their babies is profound. Under these conditions, it would be as practical to require women who give up their babies to pay child support to custodial fathers, as it is to require men to do the converse.

In reality, this issue may not come up very often. When a woman gives birth to a child whom she does not want to raise, it may be an infrequent occurrence for a man to hope to step into the void and raise the child of his ex-girlfriend alone. When such a case arises, however, there is no good

reason to relieve the mother of financial responsibility toward her biological offspring when the law does not do so for a similarly situated father.

Perhaps that should be the outcome of Dubay's lawsuit: the law should no longer permit women to relinquish financial ties to their biological children when the father wants custody of his child. The result would not do much to help Dubay, but it would assist the conscientious father who wants to be a single dad but cannot quite afford the expenses of his child's care. And though Dubay would still be in the same boat, under such a legal regime, he could at least console himself with the knowledge that some women might end up right there with him.

A Philosophical Question: Should We Be Treating Children Like Injuries?

Even if we address the equality problem by forcing women to pay men support for unwanted children, a philosophical question remains: Do we truly want to treat men and women as negligent actors who must pay for their mistakes when they create unwanted babies? As long as a man like Dubay must pay child support for a baby whom he has renounced, are we not suggesting that the child is an injury brought upon society, and that the person who helped cause the injury must pay the price for his conduct?

Forcing men (or women) to pay child support may be the only way, in our world of diminishing governmental assistance, to ensure that more children do not descend into poverty. But if it were possible, it might be better for all of us, as a society, to undertake to ensure that every child has what she needs to survive and to thrive, regardless of how rich or poor her uninterested father is. With an increasing number of single-parent families on the scene, it is perhaps high time that we embraced the idea that every one of us bears responsibility to protect every child. Until such a time, however, biological fathers, and eventually mothers, will be - and probably should be - financially on the line for their offspring.

Michigan Report

March 21, 2006

SENATE COMMITTEE SHELVES METH BILL ON CUSTODY

A bill that would have established consideration in child custody cases for parents who operate methamphetamine labs was stalled in a Senate committee as members expressed unease about giving special attention to that issue over other serious factors, all of which they said are already considered by judges in determining the best interests of a child.

The latest version of SB 535 further clarified that judges would be permitted, not required, to consider as evidence of moral fitness of a parent a conviction of a drug crime, including operating a meth lab. Other factors mentioned in the bill were a criminal conviction and abuse of controlled substances.

Connie Burgess, an aide to bill sponsor Sen. Ron Jelinek (R-Three Oaks), said the language makes clear that it is "still the court's call" in determining child custody. She added she is sure that "99.9 percent" of judges do take drug offenses into account, but said a constituent had complained of one instance where it did not occur.

Kathleen Hagenian, director of public policy and program services for the Michigan Coalition Against Sexual Violence, said many victims of sexual assaults become addicted to drugs after getting treatment with anti-pain prescription medication, and objected to classifying such situations as moral fitness issues.

Ken Weichmann, an Ann Arbor attorney representing the State Bar's Family Law Council, also objected to the bill, saying it is unnecessary and suggests there is something wrong about judges making common sense decisions. "If one parent has a meth lab, the court already takes that into account," he said. "It's demeaning to suggest they do not."

Sen. Gilda Jacobs (D-Huntington Woods), one of three members who passed on the motion to send the bill to the full Senate, questioned by other serious offenses such as sexual assault would not just as appropriately be included. Others who did not support sending the bill to the Senate were Sen. Beverly Hammerstrom (R-Temperance) and Sen. Irma Clark-Coleman (D-Detroit).

Supporting the move were committee chair Sen. Bill Hardiman (R-Kentwood) and Sen. Alan Sanborn (R-Richmond).

The committee unanimously approved two other bills (SB 1116 and SB 1117) requiring the reporting and investigation by police and the Department of Human Services of child abuse related to operation by a parent of a meth lab. The department would have to refer such cases to local prosecutors.

Cramped quarters a disservice to public

Tuesday, March 21, 2006
Grand Rapids Press Editorial

Kent County officials ought to hold the state's feet to the fire over what has become a ridiculously long and inept search for a new site for the county's social services headquarters. Fifteen years is more than enough time to have found a site to replace the Department of Human Services' cramped and obsolete building in Grand Rapids. The project obviously is not a high priority for state officials. It's up to the county to push them to make it so.

There has been a dizzying array of stops, starts and detours surrounding this project. After years of searching for a new site, there was a plan in 1996 to build a $20 million facility, using county issued bonds. The building would have been erected across the street from the current 72,000-square-foot location at 415 Franklin St. SE. That plan was scrapped the following year when the state Department of Management and Budget, which must OK all state building contracts, recommended leasing a building from the private sector, saying it would be cheaper and more efficient. State and county officials then spent years looking for ideal sites. Early in 2000, the DMB approved construction of a new 125,000-square-foot headquarters at the corner of 28th Street and South Division Avenue. That decision was reversed due to problems with the location and the bid process. That effectively put the search for a new social service headquarters back to square one. Since then, there has been no urgency on the state's end to find a new location.

David Morren, chairman last year of the Kent County Board of Commissioners, made the issue a top priority. Commissioner Morren, R-Gaines Township, said the Franklin building is an embarrassment and its continued use by the state shows a lack of respect for the community and the public here. The state leases the building from the county. Mr. Morren broached the idea of forcing the state to make a decision by ending the lease, which the lease
agreement allows. If the state doesn't move soon, the county should pull the trigger on the lease idea. The county has been patient for 15 years. No need to make it 16. The new County Board chairman, Roger Morgan, R-Rockford, rightly is continuing the push for a new DHS facility.

Kent County Administrator Daryl Delabbio says the county has given the state a proposal for a new structure and is waiting for an answer. The county won't reveal its proposed site, but it certainly should be in the primary service area. More than 70 percent of the county's DHS clients live within a three-mile radius of the Franklin building. And perhaps more than any other public agency, DHS needs to be close to the people it serves. The agency provides welfare payments, family counseling, Medicaid and Medicare assessments, and many other services to abused children, poor people, disabled residents and senior citizens. Some clients don't have cars; the closer the DHS office, the more convenient for them.

County DHS officials have complained for years about the current building's crowding and inability to accommodate technology. At one point hallways were being used to conduct agency business and see clients. The county now leases an additional 35,000 square feet at Cascade Commons in Cascade Township. The buildings are 11 miles apart. That certainly is not a convenient set-up.
The county is willing to finance a new DHS building and let the state repay it via lease payments. It's time for the state and DHS Director Marianne Udow to buy in to this deal. The state had money for dozens of other projects in the capital outlay budget last year, it should find some for this one, too. Kent County lawmakers should be working to make that happen.